

Historic, archived document

Do not assume content reflects current
scientific knowledge, policies, or practices.



WAR FOOD ADMINISTRATION

[WFO 82, Amdt. 3] *A*

PART 1405—FRUITS AND VEGETABLES
WALNUTS

War Food Order No. 82, as amended (8 F.R. 13283, 16643; 9 F.R. 4321, 4319), is further amended as follows:

1. By deleting the provisions of § 1405.27 (a) (10) and inserting, in lieu thereof, the following:

(10) The term "orchard-run walnuts" means unshelled walnuts which have been properly hulled and dried and which have not been graded for quality or size. For the purpose of this order, any given lot of orchard-run walnuts shall be of similar condition and composition to walnuts customarily delivered from the harvest by farm producers, without blending, adulteration or dilution with any walnuts of inferior quality.

2. By deleting § 1405.27 (b) (2) and inserting, in lieu thereof, the following:

(2) *Walnuts required to be set aside.* No person shall ship after 12:01 a. m., p. w. t., September 15, 1944, unshelled walnuts unless, prior to the shipment thereof, he shall have set aside a quantity of merchantable walnuts equal at least to 20 percent, by weight, of each shipment of merchantable walnuts made by him: *Provided*, That this provision shall not

apply to shipments of walnuts for which a quantity of walnuts has already been set aside by a previous shipper in accordance with the provisions hereof.

3. By deleting § 1405.27 (d) and inserting, in lieu thereof, the following:

(d) *Assessments.* Each person who ships merchantable walnuts shall pay to the program committee on demand made by the program manager, from time to time, the sum of 0.07 cents for each pound of merchantable walnuts shipped by such person after the effective time hereof. Any money collected as assessments during any crop year and not expended in connection with the respective crop year's program hereunder may be used and shall be refunded by the program manager in accordance with the provisions hereof. The aforesaid surplus fund may be used by the program manager during the 90 days subsequent to such crop year in paying the necessary expenses of the program manager incurred in connection with the new crop year. The program manager shall, however, from funds on hand, including assessments collected during the new crop year, distribute or make available, within 120 days after the beginning of the new crop year, the aforesaid surplus to each person from whom an assessment was collected in said previous crop year; and

such distribution shall be made to each person from whom an assessment was collected, as aforesaid, in the proportion that the amount of the assessment paid by the respective person bears to the total amount of the assessments paid by all persons during the said crop year. Any money so collected and remaining in the possession of the program committee upon the termination of this order shall be distributed in such manner as the Director may order.

This order shall become effective at 12:01 a. m., p. w. t., September 15, 1944. With respect to violation, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 82, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 82, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 14th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

War Food Administration,
Summary to WFO-82 Amendment 3.

The War Food Administration announced today that shippers will be required to set aside for shelling, merchantable walnuts equal to 20 percent by weight of their in-shell shipments for the 1944 crop year. The set-aside percentage for the 1943 crop was 10 percent.

This action is contained in an amendment, effective September 15, to War Food Order 82, relative to the shipment of walnuts. The amendment is in line with a majority recommendation of the

Walnut Program Committee which represents all segments of the walnut growing, packing and shelling industries. The increase in the set-aside percentage over last year's percentage will insure equitable distribution between the in-shell and shelled market outlets, WFA officials explained. Adequate supplies of both in-shell and shelled walnuts are expected to be available for civilians as well as for our armed forces throughout the season.

Production of walnuts this year as of August 1 is estimated at slightly less than 1½ million bags of 100 pounds each, an

increase of about 14 percent over the 1943 production.

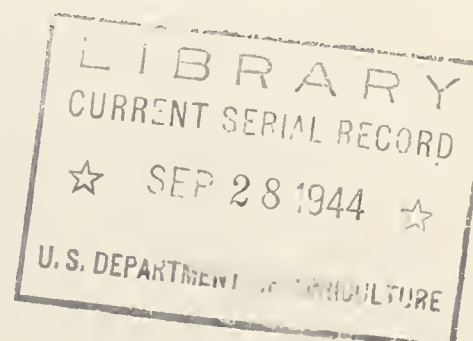
The amendment also provides for the refunding of assessments collected from shippers during the crop year, which are not needed for financing the program. The surplus fund, however, may be used by the program manager during the 90 days following the crop year, in paying expenses of the new crop year.

Another provision redefines "orchard-run walnuts" and is intended to clarify the meaning of this term as used in the order.

GPO—WFA 143—p. 1

WAR FOOD ADMINISTRATION
OFFICE OF DISTRIBUTION
WASHINGTON 25, D. C.
OFFICIAL BUSINESS

Penalty for Private Use to Avoid Payment of
Postage, \$300





33F
3

WFO 82

AMDT. 4
NOV. 13, 1944

WAR FOOD ADMINISTRATION

[WFO 82, Amdt. 4]

PART 1405—FRUITS AND VEGETABLES

WALNUTS

War Food Order No. 82, as amended (8 F.R. 13283, 16643, 9 F.R. 4321, 4319, 9584, 11419), is hereby further amended by deleting from § 1405.27 (b) (2) the term "20 percent" and inserting, in lieu thereof, the term "10 percent".

This amendment shall become effective at 12:01 a. m., e. w. t., September 15, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 82, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 82, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining

any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 13th day of November 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

War Food Administration,
Summary to WFO 82 Amendment 4.

The War Food Administration has announced that effective as of September 15, shippers of walnuts grown in California and Oregon are required under War Food Order No. 82 to set aside for shelling a quantity of these nuts equal to only 10 percent of their merchantable in-shell shipments. The original set-

aside requirement for the 1944 season was 20 percent.

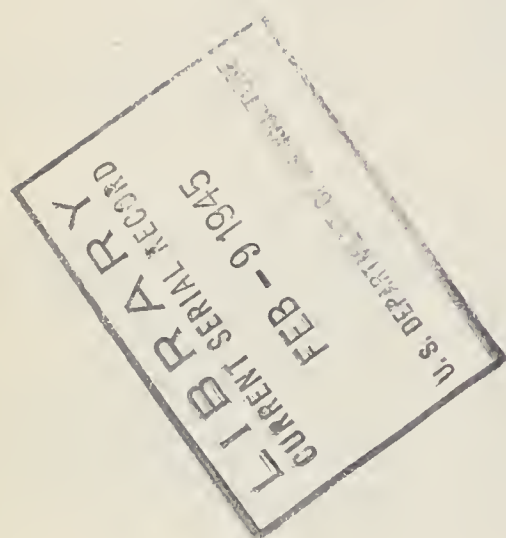
The reduction was necessary so that a normal balance can be maintained between marketable supplies of shelled and in-shell nuts since adverse weather conditions cut the estimated production from 1,428,000 (100-pound) bags in September to 1,384,000 bags in November.

It is expected that the volume of walnuts available this season will approximate last year's supply when, after cull-

ing, 825,000 bags of in-shell nuts and 14.2 million pounds of shelled nuts were marketed. The set-aside for shelling last season was 10 percent.

The current reduction in the set-aside percentage is in line with recommendations of the Walnut Program Committee which represents all phases of the industry, including growers and shippers.

This action was taken in Amendment 4 to WFO 82.



733 F
copy 6

DEPARTMENT OF AGRICULTURE

WFO 82

TERM. AND LIQUIDATION
MAR. 14, 1947

[WFO 82, Termination and Liquidation]

PART 1405—FRUITS AND VEGETABLES

WALNUTS

The provisions of War Food Order No. 82, as amended (8 F. R. 13283, 16643; 9 F. R. 4321, 4319, 9584, 11419, 13619; 10 F. R. 103, 10419; 11 F. R. 5105), are hereby terminated effective as of 11:59 p. m., P. s. t., March 31, 1947.

The affairs of the Program Committee established pursuant to the provisions of said War Food Order No. 82, as amended, shall be liquidated in accordance with the following terms and conditions:

(a) Before the close of business on March 31, 1947, the Program Committee shall deliver to the custody or control of the members of the Walnut Control Board (hereinafter described more fully) all the money, other assets, books, and other records in the possession, or under the control, of said Program Committee, at that time, in its capacity as the administrative agency under War Food Order No. 82, as amended. Said Walnut Control Board, whose address is 213 Wholesale Terminal Building, Los Angeles 21, California, is the administrative agency established pursuant to the provisions of Marketing Agreement No. 62, as amended, and Marketing Order No. 1, as amended (7 CFR 901.1 et seq., as amended, 7 CFR, Cum. Supp., 901.4, 901.17), and its members, hereinafter referred to as the "Board of Trustees," are appointed trustees for the handling of this liquidation action: *Provided*, That, while this order is in effect, any change in the membership of the said Walnut Control Board shall operate automatically to make a corresponding change in the membership of the Board of Trustees.

(b) For the purpose of handling this liquidation action, the officers of the Board of Trustees shall be the same as the officers of the aforementioned Walnut Control Board, exercising the same respective types of powers and performing the same respective types of duties, insofar as such powers and duties are applicable hereunder.

(c) Meetings of the Board of Trustees may be held, when necessary in connection with the liquidation of the affairs of the said Program Committee, at any time and at any place in California, Oregon, or Washington, on the call of the Chairman. The rules of procedure to be followed in connection with each such meeting, including, but not limited to, the method and manner of voting, shall be the same as those prescribed in that regard in the aforementioned marketing agreement, as amended, and marketing order, as amended, for the Walnut Control Board, except that all decisions of the Board of Trustees shall be by a majority vote of all the members.

(d) The members of the Board of Trustees shall serve without compensation, but they shall be allowed their necessary expenses. These and all other necessary liquidation expenses shall be paid from funds of the Program Committee which are involved in this liquidation action.

(e) The Board of Trustees shall keep books, and other records of its operations, which clearly reflect all of its acts and transactions as trustee, which books and other records shall be subject, at any time, to examination by the Secretary of Agriculture, or his designated representative. The Board of Trustees shall cause the books and other records of the Program Committee (in connection with its operations under War Food Order No. 82, as amended), and its own books and other records as trustee hereunder, to be audited by one or more competent accountants as of the close of the liquidation period, as provided for herein, and shall submit promptly, to the Secretary of Agriculture, copies of such audit reports.

(f) Any furniture, fixtures, or other personal property of the Program Committee may be sold by the Board of Trustees for such price and under such conditions as may be approved in writing by the Director of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington, D. C.

(g) After payment of outstanding obligations, if any, and the expenses necessary to be incurred in connection with this liquidation action, from the funds involved in such liquidation action, the remaining funds, including funds derived from the sale of any furniture, fixtures, or other personal property of the Program Committee, shall be distributed, by the Board of Trustees, to each person from whom an assessment was collected, pursuant to War Food Order No. 82, as amended, for the period beginning September 1, 1946, and ending March 31, 1947, in the proportion that the amount of assessment so paid by such person bears to the total amount of the assessments paid by all persons during that period.

(h) Upon completion of the liquidation of the affairs of the Program Committee, the books and other records (together with the file cabinets or other containers thereof) of both the Program Committee and the Board of Trustees shall be delivered to, and retained by, the aforementioned Walnut Control Board.

(i) The liquidation of the affairs of the Program Committee shall be completed, and a final report of the Board of Trustees in connection therewith shall be submitted to the Secretary of Agriculture, on or before June 30, 1947.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 82, as amended, prior to the effective time of this termination action, all provisions of the said War Food Order No. 82, as amended, in effect prior to the effective time of this termination action shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding in regard to any such violation, right, liability, or appeal.

(E. O. 9280, 7 F. R. 10179, E. O. 9577, 10 F. R. 8087)

Issued this 14th day of March 1947.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

